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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/890,054	07/25/2001	Yasushi Takahashi	450101-02432	5762

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FROMMER LAWRENCE & HAUG
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NEW YORK, NY 10151

EXAMINER

SHEPARD, JUSTIN E

ART UNIT	PAPER NUMBER
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2623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/890,054	TAKAHASHI, YASUSHI	
	Examiner	Art Unit	
	Justin E. Shepard	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 69-82 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 69-82 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/17/07 has been entered.

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 69-71, 74, 77, and 80 are rejected under 35 U.S.C. 102(e) as being anticipated by Goldberg.

Referring to claim 69, Goldberg discloses a method for transmitting video data comprising:

obtaining data for identifying a main video data, said main video data constituted by connecting, in a predetermined sequence a plurality of shots or scenes, each shot or scene being a basic unit of the main video data (column 9, lines 52-55; figure 3);

obtaining semantic evaluation meta-data based on an evaluation of the shots or scenes of the main video data, said semantic evaluation meta-data indicating the development of the content represented by the main video (column 12, lines 40-44; column 13, lines 1-2; figure 9); and

transmitting the identifying data, the semantic evaluation data, and the main video data (column 9, lines 52-55; column 15, lines 6-8).

Claim 70 is rejected on the same grounds as claim 69.

Referring to claim 71, method for receiving video data comprising: receiving main video data;

receiving identifying data, identifying main video data, the main video data constituted in a predetermined sequence a plurality of shots or scenes, each shot or scene being a basic unit of the main video data (column 9, lines 52-55; figure 3);

receiving semantic evaluation meta-data based on an evaluation of the shots or scenes of the main video data, said semantic evaluation meta-data indicating the development of the content represented by the main video data (column 12, lines 40-44; column 13, lines 1-2; figure 9); and

manipulating the main video data based on the identifying data and the semantic evaluation meta-data (column 12, lines 40-44; column 13, lines 21-33).

Claim 74 is rejected on the same grounds as claim 71.

Claim 77 is rejected on the same grounds as claims 69 and 71.

Claim 80 is rejected on the same grounds as claim 77.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 72, 75, 78, and 81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg in view of Abecassis.

Referring to claim 72, Goldberg does not disclose a method wherein manipulating the main video data comprises extracting a predetermined part from the main video data identified by the preview meta-data and the semantic evaluation meta-data.

Abecassis discloses, in an analogous art, a method wherein manipulating the main video data comprises extracting a predetermined part from the main video data identified by the preview meta-data and the semantic evaluation meta-data (column 9, lines 13-16).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the editing from Abecassis to the system disclosed by Goldberg and Ueno. The motivation would have been to enable the system to edit out certain parts of the video that may be offensive to the user (Abecassis: column 7, lines 1-2).

Claims 75 and 78 are rejected on the same grounds as claim 72.

Claim 81 is rejected on the same grounds as claim 78.

Claims 73, 76, 79, and 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg in view of Hjelsvold.

Referring to claim 73, Goldberg does not disclose a method for receiving billing meta-data indicating how billing is to be performed; and billing a viewer at a receiving end based on the received billing meta-data.

Hjelsvold discloses a method for receiving billing meta-data indicating how billing is to be performed (column 5, lines 28-29 and 45-51); and billing a viewer at a receiving end based on the received billing meta-data (column 6, lines 9-13).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the billing method taught by Hjelsvold to the system disclosed by Goldberg. The motivation would have been to enable different lengths of videos to have different prices (Hjelsvold: column 5, lines 28-29), which would make the system more convenient for the user.

Claims 76 and 79 are rejected on the same grounds as claim 73.

Claim 82 is rejected on the same grounds as claim 79.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent Number 5,574,909 (Misono et al.) discloses a specific definition of the semantic data that includes story content (column 7, lines 18-20).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin E. Shepard whose telephone number is (571) 272-5967. The examiner can normally be reached on 7:30-5 M-F.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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